

(\$ DAC #8



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Bruce Alan Vessey et al.

Serial No.: 09/923,175

Group Art Unit: 2187

Filed: August 6, 2001

Examiner: N/A

For: SYSTEM AND METHOD FOR EMULATING NETWORK COMMUNICATIONS
BETWEEN PARTITIONS OF A COMPUTER SYSTEMBox DAC
Assistant Commissioner for Patents
Washington, D.C. 20231PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

1. This application became abandoned on February 22, 2002 for failure to complete filing requirements.
2. This petition is filed:
☒ within one year of the date of abandonment.
☐ within three months of the date of the first decision on a petition to revive under 37 CFR 1.137(a), which was filed within one year of the date of abandonment.

(check next box, if applicable)

- ☐ The three month period has been extended up to four months, and a petition for extension of time and the fee set forth in 37 CFR 1.17(a)-(d) are filed with this petition.
3. More than six months has elapsed since the "Notice to File Missing Parts" was mailed on August 22, 2001. This application became abandoned for failure to obtain the signature of inventor, David Lapin on the oath or declaration or alternatively properly petition within the available time limits.

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OFFICE OF PETITIONS

There was never an intent to abandon this application. Inventor David Lapin died in August, 2001 in an automobile accident. His wife, Sue R. Lapin, was also involved in the automobile accident and was hospitalized for several months following the accident. During this time she was incapacitated and unable to sign the oath or declaration representing that she was the Executrix of her husband's estate. No other person was named or empowered to administer David Lapin's estate. After a partial recovery, on April 13, 2002, Sue R. Lapin, Executrix of Estate of David J. Lapin, deceased, signed the "Combined Declaration and Power of Attorney." The original signed document is attached hereto.

4. Proposed response

- ☐ has been filed.
- ☒ is attached.

(complete the following, if applicable)

- ☐ The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application copending with this application.

5. A fee pursuant to 37 CFR 1.17(m) accompanies this petition.

Application status is:

- ☐ Small business entity - fee \$660.00
 - ☐ A verified statement is attached.
 - ☐ A verified statement was filed.
- ☒ Other than Small Entity - fee \$1,240.00


Docket No. TN134

PATENT

6. Payment of fee:

- Enclosed please find a check in the amount of \$____. A duplicate of this petition is attached.
- X Please charge Deposit Account No. 19-3790 the sum of **\$1,240.00**. A duplicate of this petition is attached.
- X Please charge Deposit Account No. 19-3790 for any fee deficiency or credit this account for any overpayment for this petition.

Respectfully submitted,


Michael B. Ahass
Registration No. 30,606

Dated: May 1, 2002

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The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **19-3790** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

May 1, 2002

